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4 UNITED STATES BANKRUPTCY COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6 In re

7 EDWARD A. KRUCZYNSKI,

No. 02-12834

8 Debtor(s).
9 _____

10 Memorandum
11 _____

12 A debtor's right to have his discharge revoked only for specific statutory grounds is in no way
13 infringed when a court vacates an order of discharge entered by mistake. *In re Cisneros*, 994 F.2d 1462,
14 1466 (9th Cir. 1993). Since the discharge in this case was clearly a clerk's mistake, the court must
15 correct it. Insofar as the debtor seeks to have the order vacating the discharge undone, his motion will
16 be denied.

17 Since the debtor did not oppose the U.S. Trustee's motion to dismiss the case in reliance on the
18 erroneous discharge, the order dismissing the case will be vacated and the U.S. Trustee's motion will be
19 heard on its merits on May 23, 2003, at 10:00 A.M., unless the parties agree to some other date.

20 The debtor's motion for extension of the time to appeal will be granted.

21 Counsel for the debtor shall submit an appropriate order which counsel for the U.S. Trustee has
22 approved as to form.

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25 Dated: April 28, 2003

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Alan Jaroslovsky
U.S. Bankruptcy Judge

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